OCS

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DEPARTMENT OF STATE A/CDC/MR
DATE
REVIEWED BY November 30, 1978
RDS or XDS EXT. DATE
TS AUTH. REASON(S)
ENDORSE DENIAL MARKINGS
DECLASSIFIED RELEASABLE
PA or FOI EXEMPTIONS

CA/OCS - Mr. Alan A. Gise

THRU: CA/CCS - Mr. Carmen DiPlacido

CA/CCS - Chuck Owen and Ed Betancourt

Laws of Delaware and surrounding states regarding disposition of bodies

We have completed a survey of the laws of Delaware and surrounding jurisdictions regarding the disposition, whether by burial or cremation, of bodies. Copies of the respective statutes of Delaware, Pennsylvania, New Jersey, and Maryland are attached.

The laws of Delaware appear to be the strictest since they authorize the completion in Delaware of a death certificate when the death occurs elsewhere, i.e. outside Delaware. The Delaware statutes say that the death certificate should be as complete as circumstances permit. The clear implication of the Delaware law is that a death certificate prepared outside Delaware, which Delaware officials regard as insufficient or incomplete may be subjected to further scrutiny at the discretion of Delaware health authorities. Additional steps to permit completion of the certificate obviously could include autopsies, investigation of identity, and further inquiry into any other aspect of the death which may be deemed necessary by Delaware officials.

Unlike Delaware, the states of Pennsylvania, New Jersey, and Maryland have enacted statutes which accord full recognition to a death certificate (a copy of which is usually designated as a burial permit) issued by another state or country. Thus, the laws of those states do not sanction further inquiries when a death certificate has already been issued by officials of the jurisdiction where death occurred.

Recommendation:

Because of the stringent requirements imposed by Delaware law, consideration may have to be given to removal of the bodies now at Dover AFB to a contiguous state if Delaware authorities (1) are adamant in refusing to grant recognition to Guyanese death certificates and (2) intend to conduct autopsies or other extensive procedures before issuing local death certificates. In light of their respective statutes, it is much more

likely that the officials of Maryland, Pennsylvania, or New Jersey will accord recognition to a Guyanese death certificate than that such recognition would be forthcoming from Delaware authorities.

Attachments:

As stated.

CA:CCS:COwen/EBetancourt:sas